

MINUTES  
PARKS & RECREATION ADVISORY BOARD  
Nov 10, 2014

ROLL CALL

Present were; Sharon O'Leary , Cherese Montgomery, Jim Wardell, Doug Golliher, Rick Accountius , Amy Saunders; Absent: J.D. Birchmeier, Councilman Liaison Brian Bagley

Staff Present: Jeff Friesner, Kim Shugar, Jennifer Wojniak, Dan Wolford

APPROVE AGENDA

Motion by Sharon O'Leary to approve the agenda

Jeff Friesner wanted the removal of item 8, he did not receive any information to provide to the Board. Cherese makes a motion to approve the agenda with the removal of item 8. Rick Accountius seconded the motion, motion passed 6-0.

APPROVAL OF PREVIOUS MONTH'S MINUTES

Motion by Sharon O'Leary to approve the agenda

Amy wanted clarification in the minutes right before number (7), stating that the restrooms in the parks are closed, not the parks themselves. Number (4) under Old Business should read Recreation Master Plan. Number (9), questions about the Feasibility Study needs to state the Pool Feasibility Study. Number (8), J.D.'s last name is spelled incorrectly . Number 4 should read 'input' not 'Impute.' Motioned by Sharon O'Leary to approve the agenda with the following changes, Rick Accountius seconded the motion, motion passed 6-0.

PUBLIC INVITED TO BE HEARD

1. Shari Malloy 2113 Rangeview Ln, Longmont Co

Shari has lived in Longmont for 28 years, raised two kids and taught in St Vrain. She helped with the 2000 Open Space tax campaign. Voters approve a 2% sales tax to acquire Open Space. There is currently a gap in the ordinance that needs to be corrected. This omission leaves Open Space vulnerable to sales or trade from future City Council if they so choose.

Shari advocates for reciprocal conservation easements to be placed on all parcels that have been purchased or will be purchased with Open Space tax revenues. GOCO recommends reciprocal easement policies, which would be necessary and an important fix to protect this ordinance.

2. Joan Peck 1935 Spruce Ave, Longmont Co

Joan has lived in Longmont for 37 years. In August 2000 voters approved a 2% tax increase to purchase Open Space. This ordinance passed in order to preserve natural areas, wildlife habitat, wetlands, visual corridors and district parks devoted to low impact recreational areas. The condition not stated in the ordinance was the prohibition of the sale of Open Space lands. The gap would likely close with a reciprocal conservation easement with Boulder County on existing and future purchases of Open Space. The City already has reciprocal easements with Boulder County and on several existing Open Space parcels. A reciprocal easement with Boulder County will close the gap and answer the question of sale-ability with any future City Council. At 5:30 this evening Joan talked to several Boulder City Commissioners. They have not discussed these issues yet, but are looking forward to the discussion and support our efforts.

3. Gordon Pedrow 2639 Falcon Dr, Longmont Co

Gordon served as City Manager for 19 years, and this ordinance was created during his time. He stated that the Park and Recreation Advisory Board (PRAB) prominent role is recommending policies to City Council. PRAB is the body that helps the citizens of Longmont see that their Open Spaces are used appropriately. This big gap in the ordinance originally did not prohibit the sale of Open Space property. There is concern a future City Council could decide to sell these properties. There are several parcels that the City already has reciprocal conservation easement with Boulder County. Some cases, the City and the County purchased the properties jointly and in some cases the City used GOCO money which required a conservation easement with Boulder County. Gordon recommends City Council to entertain a conservation easement right away.

Ordinance 2011-10, the disposition of Open Space came about as Martin St. needed to be extended. Some of the right-of-way had to be taken to widen Martin St. Another part of PRAB's job is to make recommendations of policies that go forward with the comprehensive plan. This ordinance was created to make sure that the Open Space fund was made whole.

City Council can change this ordinance with two meetings and a public hearing and they can make this change. The concern is on page 2 section 4.04.130 "Disposal of Open Space should be for a public purpose as determined by the City Council." In the future, City Council could determine disposal of a piece of property and could sell to a developer.

#### NEW BUSINESS-Conservation Easements- Presenter Kim Shugar

The City has received a request from community members to evaluate options to provide a greater protection of Open Space by ensuring land purchased with the City's Open Space Sales Tax remains City-owned and not developed. One option is to utilize conservation easements that would require the approval of both the owner of the property and the conservation easement holder to dispose or significantly alter the property different from the terms of the conservation easement. Boulder County currently holds conservation easements on some of the City's Open Space property. Gordon Pedrow will be present to assist with the discussion of the item.

1. Kim Shugar wanted to clarify reciprocal conservation easements which are two entities that co-own property.
2. The land Kim is talking about is in light green on the 2014 Reciprocal Conservation Easement Map provided by the City of Longmont Public Works and Natural Resources. The light green area minus the area northwest of MacIntosh was bought with general funds prior to the Open Space tax. Kim asked the Board if the focus is on properties bought with Open Space tax, or if it is similarly used conservation properties?
3. What are the thoughts on PRAB's needs for additional protections and if the answer is yes, should PRAB make recommendations to City Council for staff to start working with Boulder County on this issue?
4. Rick Accountius wanted to know the difference between the two, City owned properties and reciprocal conservation easement with Boulder County. Are Open Space funded properties are under the same risk, can City Council sell either types of properties? The dark green shown on the map, the City needs to get permission from Boulder County. The light green is at risk and needs protection.

5. Sharon O'Leary likes the idea of a reciprocal conservation easement with Boulder County. Boulder County are good guardians, and they want to see the land protected.
6. Doug is impressed with Dan's ability to negotiate on behalf of the City, and in entering into an agreement with Boulder County, will this limit Dan's abilities to negotiate in the future? Dan stated that the City is always in favor for more protection and it won't hinder his negotiations in the future. All easements can be modified for whatever the intent is. You will give up some control with Boulder County's conservation easements because they would want a say, but Boulder County's intention is long term preservation.
7. Rick Accountius is in favor of protection and asked if there is going to be an ordinance associated in our charter that states the process because in the disposition of Open Space the Board struggled to insure that the wording of the ordinance was accepting for Council and that they would be willing to pass it.
8. Kim stated that every easement individually would have a resolution by Council to adopt the conservation easement, same as land acquisition. On a bigger scale it could become Council policy that we only buy land that we can do this, or Council could make an ordinance that is part of the Open Space, stating that when the City buys Open Space funded property the City would require a conservation easement on it.

Sharon O'Leary motioned to make a recommendation to City Council to move forward on a conservation easement to be placed on all present Open Space parcels that have been purchased or could be purchased in the future with Open Space tax money, and if the City could move forward with Boulder County to develop that conservation easement.

Rick Accountius seconded the motion, and move for discussion.

9. Rick Accountius likes motion but thinks we are giving Boulder County governance over our Open Space, should the Board amend the motion to state that Boulder County has to reciprocate with the City of Longmont for Boulder County Open Space, that is within our City limits?
10. Dan stated that we can add any governmental entity, that has an Open Space or a designated land trust, can hold a conservation easement if we don't want to say Boulder County specifically. Problem being that the land trusts are going

to want payment in order to monitor that program. It can give the City ability to grant a conservation easement to an appropriate entity, without stating Boulder County Parks and Open Space. The City could request a conservation easement granting an existing properties that don't have a conservation easement and future acquisition. The entity that holds the conservation easement is not as critical as having it being held.

11. Dan said that it should state a conservation granted to existing properties that don't have and future acquisitions using Open Space money.
12. Cherese wondered if all the Open Space properties that we currently have the reciprocal easement are with Boulder County, are any of these with other entities? Answer was 'yes'.
13. Gordon wanted to clarify that conservation easements are not reciprocal with Boulder County or with any appropriate entity. Other wording can be with Boulder county or any other appropriate entity.

Sharon O'Leary made a recommendation for a conservation easements will be placed on all existing properties that have been purchased with Open Space tax money and on any future acquisitions with Boulder county or other appropriate entities. Motion by Sharon O'Leary, Vote 6-0, passes unanimously

#### ACTION ITEM

1. Dan suggested to supplement the recommendation from PRAB with a letter to Council. Sharon O'Leary and Rick Accountius will talk to the City Manager and write up the letter.

#### ONGOING ITEMS UPDATES

1. Turkey Trot last weekend was the biggest year. There were 1749 participants which was 453 more than last year.
2. Sharon O'Leary has a suggestion for Jeff on the hiring of Mark Dorow and Marty Page, they would like to bring them in for a face to face so they know who their board is. In 2015 they can meet with all the staff.

3. Doug stated that he could feel the growth of the Turkey Trot. The 2 mile was somewhat congested. He suggested that there needs to be another full street course if it continues to grow. City staff will re-visit in the future. Over 1000 participants just ran the 2 mile.
4. Sharon O'Leary asked about the USA swim meet on the 25th, how did the facility work? Jeff stated that it was great. Sharon O'Leary wondered if we get free cable on all ellipticals. Jeff stated "yes" and that the goal is when the new equipment they will get monitors.
5. Doug mentioned that the Halloween parade was great and it has become a destination event.
6. Sharon O'Leary started a conversation about Affolter playground. There event is Nov 17th at 6pm at Indian Peaks Elementary.
7. Cherese asked if the Pool/Ice Rink Feasibility Study, have we heard anything? Jeff stated that resources need to be appropriated before signing the contract. Nov 25th will be the first reading, second reading is on the 16th. City can sign agreement until there is money. City will pay up front and will be reimbursed from SVVSD.

#### ITEMS FROM STAFF

1. Jeff mentioned Longmont Lights is December 12th and 13th at 5pm. Parade starts at 5pm on Saturday.
2. Kim said that the Jim Hamm grand opening had 104 people not including staff. Kim also stated that the City is renewing the archery lease at the landfill.

#### ITEMS FROM BOARD

1. Cherese went on a hot air balloon ride and took pictures of the creek and Sandstone Park. The pictures showed how significant the flood damage is.
2. Amy asked about the faded danger signs at Dry Creek Park. Kim said that they were old prairie dog treatment signs and needed to be pulled.

## PUBLIC INVITED TO BE HEARD

1. Karen Kochanski 2219 Watersong Cir, Longmont

Question on the conservation easement and if all of Longmont's public land is in Boulder County? Karen is trusting of Boulder County but not Weld County in terms of managing Open Space. Who would determine an what the appropriate entities?

Dan Wolford stated that Weld County can't hold conservation easements because they don't have Open Space. Weld County has fee acquisitions.

## MEETING ADJOURNED

Motioned by Rick Accountius, seconded by Amy at 8:21pm.